

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE SUBOXONE (BUPRENORPHINE HYDROCHLORIDE AND NALOXONE) ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

Wisconsin, et al. v. Indivior Inc. et al.
Case No. 16-cv-5073

STATE OF WISCONSIN

By Attorney General Brad D. Schimel, *et al.*

Plaintiffs,

V.

**INDIVIOR INC. f/k/a RECKITT BENCKISER
PHARMACEUTICALS, INC., et al.**

Defendants.

MDL NO. 2445
13-MD-2445

CIV. A. NO. 16-5073

ORDER

AND NOW, this 14th day of December, 2022, following a status conference, it is hereby

ORDERED that:

1. Regarding any remaining conspiracy or conspiracy-related claims, and in light of my October 19, 2022 ruling that all claims against Aquestive Therapeutics, Inc. shall be dismissed (Doc. No. 840), Plaintiffs shall meet and confer with Defendant as to whether Plaintiffs will attempt to proceed with any conspiracy-related claims. The parties shall provide a joint status report on this issue by no later than **January 10, 2023**.
2. Regarding witnesses who had previously invoked the Fifth Amendment:
 - a. As to the four individuals who have now indicated their willingness to be deposed (Shaun Thaxter, Timothy Baxter, Debby Betz, and Vickie Seeger), I conclude that Plaintiffs have not established sufficient prejudice to warrant an adverse

inference instruction should this case proceed to trial. Consequently, if Plaintiffs wish to depose those witnesses, Plaintiffs may issue deposition notices and subpoenas by no later than **January 10, 2023**.

- b. As to the three individuals who also raised the Fifth Amendment privilege and who now have indicated they may reconsider that invocation (Adrian Norton, Ju Yang, and Jane Ruby), defense counsel are directed to provide a copy of this Order to counsel for those individuals. By **January 10, 2023**, those individuals shall notify the parties and the Court of their decision regarding whether they will waive their Fifth Amendment rights and testify at a deposition and possibly trial.
- d. As to the two individuals who indicated that they will continue to invoke their Fifth Amendment rights (Tony Goodman and Ed Johnson), Plaintiffs may issue subpoenas to these individuals by no later than **January 10, 2023**. If these individuals continue to invoke the Fifth Amendment, Plaintiffs may, if they deem appropriate, file a written challenge to that invocation.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.